IV. REMARKS

1. Claims 1, 6, 10, 11 and 12 are amended. Claims 19-23 are new. Claims 1-23 are currently pending in this application. No new matter has been added.

2. The specification has been amended to provide a more descriptive title and to correct grammatical errors. No new matter has been added.

3. Figures 1 and 5 are amended to overcome the objections. Replacement drawing sheets are being submitted concurrently with this amendment.

4. Claims 1, 10 and 12 are amended to overcome the rejection under 35 U.S.C. 112, first paragraph.

5. Claims 1, 4-6, 9-12 and 15-18 are not anticipated by Thibault et al., U.S. Patent No. 6,799,195 ("Thibault") under 35 U.S.C. 102(e). Claim 1 recites, a first network interface card permitting data transfer between a local network and an intermediate network. Claim 1 also recites, a second network interface card permitting data transfer between an intermediate network and a remote network. Claim 1 further recites, the local network may either receive and act upon or not receive and not act upon information transmitted by the remote network depending on a set of predetermined criteria applied by the intermediate network.

Thibault does not disclose or suggest a first network interface card permitting data transfer between a local network and an intermediate network. Nor does Thibault disclose or suggest a second network interface card permitting data transfer between an

intermediate network and a remote network. Thibault also fails to disclose or suggest that a local network may either receive and act upon or not receive and not act upon information transmitted by the remote network depending on a set of predetermined criteria applied by the intermediate network.

Thibault discloses a system (10) for process control including client digital data processors (12, 14) and server digital data processor (16). The digital data processors (12, 14, 16) are connected to one another via network (18) (Col. 3, L. 54-58). The server digital data processor (16) is coupled to process control apparatus (19a-19e) via bus/network structure (30) and control stations (23a-23e) (Col. 3, L. 59-61). The network (18) comprises the global internet (Col. 4, L. 33-37). Server digital data processor (16) includes information server (20) for establishing communications over network (18) with information clients executing on the client digital data processors (12, 14) (Col. 4, L. 52-56). Digital data processor (16) also includes a command processor (25), comprising front end (25a), interface section (25b) and object manager (25c) (Col. 5, L. 46-50).

There is no disclosure in Thibault of a first network interface card or a second network interface card. Nor is there any disclosure in Thibault of a local network, intermediate network, or a remote network. There is also no disclosure in Thibault of a set of predetermined criteria applied by an intermediate network. Interface section (25b) in Thibault provides a software interface between the front end (25a) and the object manager (25c) (Col. 7, L. 1-2). The front end (25a), the interface section (25b) and the object manager (25c) are all part of the digital data processor (16). Thus, interface (25b) cannot be an interface between two networks as claimed in claim 1 of the

present application. Interface section (25b) provides an interface between two parts (25a, 25c) of the same processor (16) rather than an interface between two networks.

In addition, Thibault does not contain an intermediate network as claimed in claim 1 of the present application. Claim one recites data transfer between a local network and an intermediate network. Claim 1 also recites, data transfer between an intermediate network and a remote network. The network (18) in Thibault connects the client digital data processors (12, 14) with the digital data processor (16) (Fig. 1). The digital data processors (12, 14) execute applets (26, 28) within the virtual machine environments defined by the information clients (22, 24). Each applet (26, 28) configures its respective client digital data processors as a process controller that establishes communications over the network (18) with the command processor front end (25a) and that monitors and/or controls the process control apparatus (19a-19e) via those communications (Col. 7, L. 17-30). Communication between front end (25a) and the digital data processor (16) occurs via bus/network structure (30) and control stations (23a-23e) (Col. 3, L. 59-61). As such, there is no disclosure of an intermediate or local network in Thibault as digital data processor (16) and control stations (23a-23e) are part of bus/network structure (30). Communications from the client digital data processors (12, 14) are transmitted through network (18) directly to digital data processor (16), which is part of bus/network structure (30). Also, there is simply no disclosure of the digital data processor (16) of Thibault acting upon or not acting upon information transmitted by the network (18) depending on a set of predetermined criteria applied an intermediate network. Therefore, claim 1 is not anticipated by Thibault under 35 U.S.C. 102(e).

Claims 6 and 11 contain similar limitations and are also not anticipated by Thibault under 35 U.S.C. 102(e) for reasons similar to those above.

Claims 4, 5, 9, 10, 12 and 15-18 are not anticipated by Thibault because of their respective dependencies.

6. Claims 2, 3, 7, 8, 13 and 14 are patentable over Thibault in view of Reid et al., U.S. Patent 6,182,226 ("Reid") under 35 U.S.C. 103(a).

For the reasons discussed above, Thibault fails to suggest or disclose the features of claims 1, 6 and 11 of the present application from which claims 2, 3, 7, 8, 13 and 14 depend. In addition, the Examiner notes that Thibault fails to teach what is claimed by Applicant in claims 2, 3, 7, 8, 13 and 14.

Reid also fails to disclose or suggest what is claimed by Applicant in independent claims 1, 6 and 11. Reid discloses a firewall (34) used to achieve network separation within a computing system having a plurality of network interfaces. A plurality of regions is defined within the firewall (34) and a set of policies is configured for each of the plurality of regions. The firewall (34) restricts communication to and from each of the plurality of network interfaces in accordance with the set of policies configured for the one of the plurality of regions to which the one of the plurality of network interfaces has been assigned (abstract). In Reid the firewall (34) connects an internal network (32) to an external network (36) (Col. 2, L. 66-67). Server (38) and workstations (40) are connected to internal network (32). Server (42) is connected through network (44) to firewall (34). Workstations (40) communicate through

firewall (34) with servers or workstations on external network (36) and with server (42) on network (44) (Col. 3, L. 1-8).

Reid does not suggest or disclose an intermediate network as in claim 1 of the present application. In Reid, there is an internal network (32), which is broken up into regions, that is connected to an external network (36). Communications between these two networks is restricted by firewall (34). Communication between internal network (32) and server 42 is also restricted by firewall (34). As such, in Reid, the communication between two networks (32, 36) does not pass through an intermediate network as claimed in claim 1 of the present application. In addition, nowhere is it disclosed in Reid that internal network (32) may receive act upon or not receive and not act upon information transmitted by external network (36) based on a predetermined set of criteria applied by an intermediate network as called for in claim 1 of the present application. There is no disclosure of an intermediate network in Reid.

Claims 6 and 11 contain similar limitations as in claim 1. Accordingly, Reid does not suggest or disclose the features of claims 6 or 11 for reasons similar to those above.

Neither Thibault nor Reid either in combination or separately suggest or disclose the features claimed in independent claims 1, 6 and 11 of the present application. Accordingly, Thibault nor Reid either in combination or separately suggest or disclose the features claimed in dependent claims 2, 3, 7, 8, 13 and 14 of the present application.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in

proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of $270.00 is enclosed for a one month extension of time and additional claim fees. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

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6 September 2005
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